

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re REFCO INC. SECURITIES LITIGATION

07 MDL No. 1902 (GEL)

MARC S. KIRSCHNER,
as Trustee of the Refco Litigation Trust,

Case No. 07 Civ. 11604 (GEL)

Plaintiff,

V.

**NOTICE OF DEFENDANT
MAYER BROWN LLP'S
MOTION TO DISMISS**

GRANT THORNTON LLP; MAYER BROWN, ROWE & MAW, LLP; ERNST & YOUNG U.S. LLP; PRICEWATERHOUSECOOPERS LLP; CREDIT SUISSE SECURITIES (USA) LLC (f/k/a CREDIT SUISSE FIRST BOSTON LLC); BANC OF AMERICA SECURITIES LLC; DEUTSCHE BANK SECURITIES INC.; PHILLIP R. BENNETT; SANTO C. MAGGIO; ROBERT C. TROSTEN; TONE N. GRANT; REFCO GROUP HOLDINGS, INC.; LIBERTY CORNER CAPITAL STRATEGIES, LLC; WILLIAM T. PIGOTT; EMF FINANCIAL PRODUCTS, LLC; EMF CORE FUND, LTD.; DELTA FLYER FUND, LLC; ERIC M. FLANAGAN; INGRAM MICRO, INC.; CIM VENTURES, INC.; BECKENHAM TRADING CO. INC.; ANDREW KRIEGER; COAST ASSET MANAGEMENT, LLC (f/k/a COAST ASSET MANAGEMENT LP); CS LAND MANAGEMENT, LLC; and CHRISTOPHER PETITT,

ECF FILED

Defendants.

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law and Declaration of Thomas G. Ward and exhibits annexed thereto, both dated May 30, 2008,

Defendant Mayer Brown LLP moves this Court before the Honorable Gerard E. Lynch, United States District Judge, United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, for an Order pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing this action.

Dated: Washington, D.C.
May 30, 2008

Respectfully submitted,



John K. Villa (admitted *pro hac vice*)
Michael S. Sundermeyer (admitted *pro hac vice*)
Craig D. Singer (admitted *pro hac vice*)
Thomas G. Ward (TW-6255)
WILLIAMS & CONNOLLY LLP
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Washington, DC 20005
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(202) 434-5029 (fax)

Attorneys for Defendant Mayer Brown LLP

CERTIFICATE OF SERVICE

I, Thomas G. Ward, hereby certify that on this 30th day of May, 2008, I caused true and correct copies of the Notice of Defendant Mayer Brown LLP's Motion to Dismiss, the Memorandum of Law in Support of Defendant Mayer Brown LLP's Motion to Dismiss, and the Declaration of Thomas G. Ward in Support of Defendant Mayer Brown LLP's Motion to Dismiss and exhibits annexed thereto to be filed electronically. Notice of these filings will be electronically mailed to all parties registered with the Court's electronic filing system.

A handwritten signature in cursive script, reading "Thomas G. Ward", is written over a horizontal line.

Thomas G. Ward (TW-6255)